Vermont Department of Education Vermont Standards Board for Professional Educators

5500 Code of Professional Ethics and Rules of Professional Conduct for Vermont Educators

5510 Code of Professional Ethics

The essential qualities of the competent and caring educator include moral integrity, humane attitudes, reflective practice, and a sound understanding of academic content and pedagogy. The public vests educators with trust and responsibility for educating the children of Vermont. We believe that fulfilling this charge requires educators to demonstrate the highest standards of professional conduct.

We, as professional educators, respect the dignity and individuality of every human being. We are committed to, and model for our students, the lifelong pursuit of learning and academic excellence.

We are dedicated to effective scholarly practice, further enhanced by collaboration with colleagues and with those in the greater educational community. Furthermore, we are dedicated to compassionate service on behalf of our students and their families, and we advocate for them in the school and community settings.

We recognize and accept both the public trust and the magnitude of responsibility inherent in our profession. To this end, we put forth these rules of conduct as the foundation for professional practice for all Vermont educators to honor and follow.

5520 Rules of Professional Conduct

What follows is a statement of fundamental principles which all Vermont educators should follow, each of which is accompanied by an enumeration of examples of unprofessional conduct which could subject an educator to licensing action.

- Principle I. A professional educator abides by all federal, state and local laws and regulations. Unprofessional conduct includes all conduct listed in 16 V.S.A. § 1698(1).
- Principle II. A professional educator maintains a professional relationship with all students, both inside and outside the classroom, and makes reasonable efforts to protect students from conditions which are harmful to their health and safety. Unprofessional conduct includes, but is not limited to:
 - a. Committing any act of child abuse, including physical and/or emotional abuse;
 - b. Committing any act of cruelty to children, or any act of child endangerment;
 - c. Committing any sexual act with, or soliciting any sexual act from, any minor, or any elementary or secondary student regardless of age;
 - d. Committing any act of harassment as defined by state or federal law or regulation;
 - e. Soliciting, encouraging or participating in a romantic or sexual relationship (whether written, verbal or physical) with a student, the educator knows or should know is a student, in the absence of countervailing facts;
 - f. Using patently offensive language including, but not limited to, improper sexual comments;
 - g. Taking patently offensive pictures (digital, photographic or video) of students;

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- h. Patently improper contact with any minor, or with any elementary or secondary student regardless of age, using any means including electronic media;
- i. Furnishing alcohol or illegal or unauthorized drugs to any student, or allowing or encouraging a student to consume alcohol or illegal or unauthorized drugs.
- Principle III. A professional educator refrains during the course of professional practice from the use of alcohol or drugs not prescribed for the educator's use. Unprofessional conduct includes, but is not limited to:
 - a. Unlawful possession of a drug so as to evidence moral unfitness to practice as an educator;
 - b. Possessing, using or being under the influence of alcohol or drugs, not prescribed for the educator's use, when on school premises or at a school sponsored activity where students are present or may reasonably be expected to be present. (1698(1A)).
- Principle IV. A professional educator exemplifies honesty and integrity in the course of professional practice. Unprofessional conduct includes, but is not limited to:
 - a. Falsifying, fraudulently altering or deliberately misrepresenting professional qualifications, degrees, academic awards and/or related employment history, when applying for employment and/or licensure;
 - b. Failure to notify the state, at the time of application for licensure, of past criminal convictions, or of revocations or suspensions of a certificate or license by Vermont or any other jurisdiction;
 - c. Deliberately falsifying, deliberately misrepresenting, or deliberately omitting when requested, information regarding the evaluation of students and/or personnel;
 - d. Deliberately improper administration of state or federal mandated standardized tests (including, without limitation, changing a student's test answers, copying or teaching identified test items, and reading a test to students without authorization);
 - e. Falsifying, or deliberately misrepresenting, information submitted to the Department of Education in the course of an official educational inquiry and/or investigation.
- Principle V. A professional educator entrusted with public funds and/or property honors that trust with a high level of honesty, accuracy and responsibility. Unprofessional conduct includes, but is not limited to:
 - a. Misusing, failure to account for, or unauthorized use of, public or school-related funds or property;
 - b. Using any school equipment for the purpose of gaining access to pornography.
- Principle VI. A professional educator maintains integrity with students, colleagues, parents, and others regarding gifts and other favors. Unprofessional conduct includes, but is not limited to:
 - a. Soliciting or accepting gifts or other favors for personal use or gain where there may be an actual or apparent conflict of interest.
- Principle VII. A professional educator complies with state and federal laws and regulations, relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unprofessional conduct includes, but is not limited to:

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- a. Sharing of confidential information concerning student academic or disciplinary records, health and medical information, family status and/or income, and assessment/testing results, with unauthorized individuals or entities;
- b. Sharing of confidential information by an administrator about employees with unauthorized individuals or entities.
- Principle VIII. A professional educator fulfills all of his or her obligations to students. Unprofessional conduct includes, but is not limited to, the failure to provide appropriate supervision of students at school or school-sponsored activities, or the failure to ensure the safety and well-being of students.
- Principle IX. A professional educator complies with obligations to report alleged unprofessional conduct. Unprofessional conduct of an administrator includes, but is not limited to:
 - a. The failure of a superintendent who has reasonable cause to believe an educator has engaged in unprofessional conduct to submit a written report to the commissioner;
 - b. The failure of a principal who submits to the commissioner a report of alleged unprofessional conduct to submit it to his or her superintendent as well.
- Principle X. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, and in professional rights and responsibilities. Unprofessional conduct includes, but is not limited to:
 - a. Conduct that unreasonably impairs a colleague's ability to teach or perform his or her professional duties, including acts of harassment or interfering with the free participation of colleagues in professional associations;
 - b. Taking, sharing or disseminating inappropriate pictures (digital, photographic or video) of colleagues.

Application Notes.

- 1. The foregoing Code of Professional Ethics is adopted in accordance with 16 V.S.A. § 1694(5).
- 2. Nothing in these Rules can, or is intended to, vary the definition of "unprofessional conduct" which is contained in 16 V.S.A. § 1698. Rather, these Rules enumerate a non-exclusive list of conduct which, if proven in a particular case, might constitute unprofessional conduct.

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